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PTO/SB/17 (10-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL For FY 2008

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 525.00

Complete if Known

RECEIVED

Application Number 10/511,130

Filing Date August 15, 2005

SEP 11 2008

First Named Inventor BERNARD CONNOLLY

Examiner Name Hutson, Richard G.

OFFICE OF PETITIONS

Art Unit 1652

Attorney Docket No. 067074-0310832

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP SHAW PITTMAN LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

### 2. EXCESS CLAIM FEES

#### Fee Description

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims Extra Claims Fee (\$) Fee Paid (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x 260.00 = 0.00

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Deficiency Payment

Fees Paid (\$)

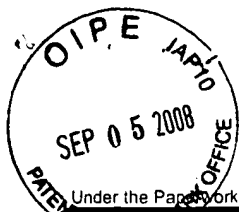
525.00

## SUBMITTED BY

Signature Carolyn S. Lu Registration No. 56,817 Telephone 213.488.7238  
Name (Print/Type) Carolyn S. Lu Date September 2, 2008

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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**Complete if Known**

Application Number	10/511,130
Filing Date	August 15, 2005
First Named Inventor	BERNARD CONNOLLY
Examiner Name	Hutson, Richard G.
Art Unit	1652
Attorney Docket No.	067074-0310832

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SEP 11 2008

OFFICE OF PETITIONS

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☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP SHAW PITTMAN LLP

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☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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Each independent claim over 3 (including Reissues)

Multiple dependent claims

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Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
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- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x 260.00 = 0.00

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Deficiency Payment

Fees Paid (\$)

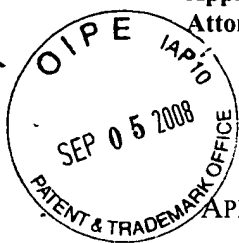
525.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	56,817	Telephone	213.488.7238
Name (Print/Type)	Carolyn S. Lu	Date	September 2, 2008		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 2008 SEP -9 PM 4:52

IN RE PATENT APPLICATION OF: Bernard CONNOLLY et al.

SERIAL NO.: 10/511,130

ATTORNEY DOCKET NO: 067074-0310832

FILING DATE: 08/15/2005

ART UNIT: 1652

EXAMINER Richard G. Hutson

FOR: DNA POLYMERASES

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SEP 11 2008

OFFICE OF PETITIONS

**DEFICIENCY PAYMENT UNDER 37 C.F.R. 1.28(c)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madame:

This paper is being submitted to address a good faith error in payment of small entity fees.

A three-month extension of time filed with the last response was inadvertently paid under the small entity fee due to a clerical mistake. The Applicant has caught this oversight during a recent review of the file and now requests that the Commissioner excuse the good faith error in payment of small entity fees and charge the deficiency payment of \$525.00 to Deposit Account No.: 033975 (Ref. No. 067074-0310832) pursuant to 37 C.F.R. §1.28(c), if the Patent Office has not already charged the deficient amount from the above-identified deposit account.

In addition, pursuant to 37 C.F.R. §1.28(c)(2)(ii), an itemization of the deficiency payment is also included herein in Appendix A.

09/10/2008 DALLEN 00000016 033975 10511130


01 FC:1461 525.00 DA

If a determination is made that additional fees are necessary for the payment of deficiency fees or for other reasons, the Director is further authorized to charge such fees to our Deposit Account No.: 033975 (Ref. No. 067074-0310832).

Date: September 2, 2008

Respectfully submitted,

By:

  
Carolyn S. Lu  
Registration No. 56,817

**Customer No. 27496**

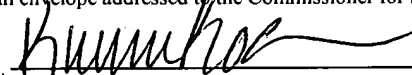
PILLSBURY WINTHROP SHAW PITTMAN LLP  
725 S. Figueroa St.  
Suite 2800  
Los Angeles, CA 90049  
Main: 213-488-7100  
Fax: 213-629-1033

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Signature

Date: September 2, 2008

Kumiko Alexander

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Deficiency Payment Under 37 C.F.R. 1.28(c)  
Application Serial No.: 10/511,130  
Attorney Docket No.: 067074-0310832

Customer No.: 27496

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## APPENDIX A

### Itemization of Deficiency Payments

DEFICIENT PAYMENT	TYPE OF FEE ERRONEOUSLY PAID AS SMALL ENTITY	CURRENT FEE FOR NON-SMALL ENTITY	SMALL ENTITY FEE ACTUALLY PAID	DATE SMALL ENTITY FEE PAID	DEFICIENCY OWED
	37 C.F.R. 1.28(c)(2)(ii)(A)	37 C.F.R. 1.28(c)(2)(ii)(A)	37 C.F.R. 1.28(c)(2)(ii)( B)	37 C.F.R. 1.28(c)(2)(ii)(B)	37 C.F.R. 1.28(c)(2)(ii)(C)
FIRST DEFICIENT PAYMENT	Extension for response within third month (37 C.F.R. 1.17(a)(3))	\$1,050.00	\$525.00	Response, Submitted: February 6, 2008	\$1,050.00 - \$525.00 = <u>\$525.00</u>
TOTAL DEFICIENCY PAYMENT OWED 37 C.F.R. 1.28(c)(2)(ii)(D)	<u>\$525.00</u> total Deficiency Owed				